

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**CHESTER MCCOY; BENJAMIN
CAUSEY; DEMARCUS HAILE;
DANIEL HARRIS; ANTYON GRAY;
MARIO SPEECH; TERRELL COOPER;
RAFAEL ANDERSON; GENE WOOLSEY;
DARRYL BARNES, individually, and on
behalf of all of those similarly situated,**

Plaintiffs,

v.

**DEFENDERS, INC. d/b/a Protect Your
Home d/b/a Home Defender d/b/a
True Home Security,**

Defendant.

CIVIL ACTION

No. 3:17-cv-207-DCB-LRA

**JOINT MOTION TO APPROVE SETTLEMENT AGREEMENTS
AND FOR ENTRY OF STIPULATED ORDER AND JUDGMENT**

COME NOW Plaintiffs Chester McCoy, Benjamin Causey, DeMarcus Haile, Daniel Harris, Antyon Gray, Mario Speech, Terrell Cooper, Rafael Anderson, Gene Woolsey, and Darryl Barnes (collectively, "Plaintiffs") and Defendant Defenders, Inc. ("Defendant"), and hereby request that this Court approve the settlement between Plaintiffs and Defendant and enter a stipulated order and judgment.

1. Plaintiffs Chester McCoy, Benjamin Causey, and DeMarcus Haile filed this lawsuit against Defenders on March 27, 2017. Doc. 1. On July 24, 2017, Plaintiffs filed an Amended Complaint adding additional Plaintiffs Daniel Harris, Antyon Gray, Mario Speech, Terrell Cooper, Rafael Anderson, and Gene Woolsey. Doc. 35. Plaintiff Darryl Barnes joined the case on January 10, 2018. Doc. 79. *See also* January 10, 2018 Text-Only Order. The Plaintiffs allege that Defendant failed to pay them in accordance with the Fair Labor Standards

Act ("FLSA"). Doc. 79. In addition, Plaintiffs Antyon Gray and Darryl Barnes allege their employment was unlawfully terminated in retaliation for participating in this lawsuit or otherwise engaging in protected activity. *Id.*

2. The individual claims in this case have contained a bona fide dispute as to liability and damages, as Defendants has asserted that Plaintiffs were paid properly for all their hours of work and have denied that Plaintiffs performed any overtime without proper pay.

3. In an effort to avoid expenses associated with prosecuting and defending the above-styled cause, the Plaintiffs and Defendant, by and through their respective counsel, have reached a settlement agreement covering all of the Plaintiffs' claims against the Defendant.

4. The settlement amount for each of the Plaintiffs was calculated based on their claims and the amount of time they allegedly worked during the relevant time period. The amounts paid to Plaintiffs under the settlement agreements are fair and reasonable. Counsel have provided the Court a copy of the settlement agreements for the Plaintiffs through a letter to Chambers.

5. The backpay and liquidated damages amounts constitute more than 100% of that which Plaintiffs could recover under the FLSA, and include additional compensation for the remaining terms of the settlement agreements.

6. Upon approval of the settlement agreement, the parties ask that the Court dismiss the Plaintiffs' claims with prejudice.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that this Court grant this Motion and enter an Order (attached as "Exhibit A"):

1. Approving the settlement for Plaintiffs and finding that the agreements are a fair and reasonable resolution; and

2. Dismissing Plaintiffs' claims with prejudice, each party to bear his own costs, attorney's fees, expenses, with the exception of the payment of attorney's fees to counsel for Plaintiffs described in the settlement agreement for Plaintiff Chester McCoy, which constitutes all attorneys' fees, expenses, and costs due for this action.

Respectfully submitted jointly this 1st day of March, 2018.

/s/ Macy D. Hanson

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